

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference T 10551 WO	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/EP2004/003123	International filing date (day/month/year) 24.03.2004	Priority date (day/month/year) 27.03.2003
International Patent Classification (IPC) or national classification and IPC		
Applicant TRW AUTOMOTIVE ELECTRONICS & COMPONENTS GMBH & CO. KG		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2.	This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.	
3.	This report is also accompanied by ANNEXES, comprising:	
a.	<input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>2</u> sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.	
b.	<input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4.	This report contains indications relating to the following items:	
	<input checked="" type="checkbox"/> Box No. I	Basis of the report
	<input type="checkbox"/> Box No. II	Priority
	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
	<input type="checkbox"/> Box No. IV	Lack of unity of invention
	<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<input type="checkbox"/> Box No. VI	Certain documents cited
	<input type="checkbox"/> Box No. VII	Certain defects in the international application
	<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/003123

Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-5 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-8 _____ received by this Authority on 13.01.2005 with letter of 13.01.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/1 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-8	YES
	Claims		NO
Inventive step (IS)	Claims	1-8	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-8	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
1. This report makes reference to the following documents:			
D1: US-A-4 363 420 (ANDREWS SYDNEY A) 14 December 1982 (1982-12-14)			
D2: EP-A-0 631 923 (UNITED CARR GMBH TRW) 4 January 1995 (1995-01-04)			
2. D2, which is considered to represent the prior art closest to the subject matter of claim 1, discloses (the references in parentheses are to this document):			
plug (1) for sealing holes in a vehicle body with a central sealing section (2) and a peripherally arranged engagement section (3) for receiving regions of the vehicle body, wherein the sealing section (2) and the engagement section (3) are formed of a plastics material and the plastics material of the engagement section (3) is softer than the plastics material of the sealing section (2) and wherein the plastics material of the engagement section (3) can be softened by heating			

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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such that a tight connection is formed between the engagement section (3) and the regions of the vehicle body received thereby, wherein the engagement section (3) has a circumferential sealing lip (6) which forms a locking connection with a vehicle hole edge and a further sealing lip (4) which engages with the opposite side of the vehicle body hole (cf. figures 1 and 2; claims 1-6; column 1, line 45 to column 2, line 55).

- 2.1 The subject matter of claim 1 thus differs from the known plug in that the engagement section is placed in a peripheral cavity in the sealing section.
- 2.2 The subject matter of claim 1 is therefore novel (PCT Article 33(2)).
- 2.3 The problem addressed by the present invention may therefore be considered that of designing the body plug such that it seals the body hole and, on fitting, reliably protects the damaged edge of the vehicle body hole both before and after paint has dried.
- 2.4 The above-indicated combination of features in claim 1 is neither known from nor suggested by the available prior art. The subject matter of claim 1 therefore meets the PCT requirements for inventive step (PCT Article 33(3)).

3 Claims 2-8 are dependent on claim 1 and therefore

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>likewise meet the PCT requirements for novelty and inventive step.</p> <p>4 Application in vehicle building.</p>